/w

	Notice of Allowability	Application No.	Applicant(s)	
l		10/078,699	SHOJI ET AL.	
		Examiner	Art Unit	
		Michael V Battaglia	2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>02 November 2004</u>.

2. ☒ The allowed claim(s) is/are <u>12,24 and 36 (now renumbered as 1-3 respectively)</u>.

3. ☒ The drawings filed on <u>21 February 2001</u> are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____ .

Allowable Subject Matter

1.   Claims 12, 24 and 36 are allowable over the prior art of record. In regard to claim 12,

none of the references of record alone or in combination suggest or fairly teach a method of

recording data optically onto an optical disk having a plurality of sectors, each sector having a data

region to be recorded with data, the data being recorded in units of blocks, each block being a data

unit which includes a predetermined number of sectors and to which error correction is applied,

the method comprising: in recording data related to a content by dividing and recording the data

on a plurality of continuous sectors, recording dummy data on a region adjacent before a sector

from which data recording is started, the dummy data being used for extracting a clock for data

reproduction; recording dummy data on a region adjacent after each block included in the

contents; and recording dummy data on a region adjacent after a region having dummy data

recorded thereon which is adjacent after the final block included in the contents; **wherein the**

dummy data recorded adjacent after the region having dummy data recorded thereon which is

adjacent after the final block included in the contents is longer than the dummy data recorded

adjacent after each block included in the contents.

In regard to claim 24, none of the references of record alone or in combination suggest or

fairly teach an apparatus for recording data optically onto an optical disk having a plurality of

sectors, each sector having a data region to be recorded with data, the data being recorded in units

of blocks, each block being a data unit which includes a predetermined number of sectors and to

which error correction is applied, the apparatus comprising: a recording unit that optically records

the data to the optical disk, and a controller that controls the recording operation of the recording

unit, wherein, in recording data related to a content by dividing and recording the data on a

plurality of continuous sectors, the controller controls the recording unit such that: dummy data to

be used for extracting a clock for data reproduction is recorded on a region adjacent before a

sector from which data recording is started, dummy data is recorded on a region adjacent after

each block included in the contents, and dummy data is recorded on a region adjacent after a

region having dummy data recorded thereon which is adjacent after the final block included in the

contents; **wherein the dummy data recorded adjacent after the region having dummy data**

recorded thereon which is adjacent after the final block included in the contents is longer than the

dummy data recorded adjacent after each block included in the contents.

In regard to claim 36, none of the references of record alone or in combination suggest or

fairly teach an optical disk on which data is recorded optically, the disk comprising: a plurality of

sectors, each sector having a data region to be recorded with data, the data being recorded in units

of blocks, each block being a data unit which includes a predetermined number of sectors and to

which error correction is applied, wherein in recording data related to a content by dividing and

recording the data in a plurality of sectors, dummy data is recorded on a region adjacent before a

sector from which data recording is started, wherein the dummy data is used for extracting a clock

for data reproduction; dummy data is recorded on a region adjacent after each block included in

the contents; and dummy data is recorded on a region adjacent after a region having dummy data

recorded thereon which is adjacent after the final block included in the contents; **wherein the**

dummy data recorded adjacent after the region having dummy data recorded thereon which is

adjacent after the final block included in the contents is longer than the dummy data recorded

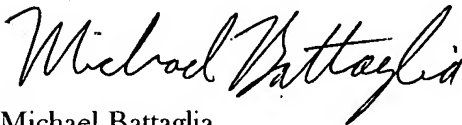**adjacent after each block included in the contents.**
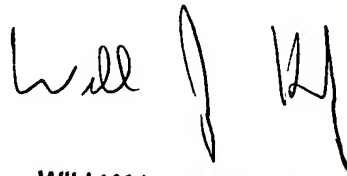
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V Battaglia whose telephone number is (703) 305-4534. The examiner can normally be reached on 5-4/9 Plan with 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Battaglia

WILLIAM KLIMOWICZ
PRIMARY EXAMINER